IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 16293 of 2003

Between:

Punana Venkat Ramana s/o Appala Suri Naidu
R/o Punana Palem village., Ranasthalam Mandal.,
Srikakulam District.

..... PETITIONER

AND

1. The Joint Collector, Collectors Office., Srikakulam., Srikakulam District.
2 The Revenue Divisional Officer, Srikakulam., Srikakulam District.
3 The Mandal Revenue officer, Ranasthalam, Srikakulam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, particularly a writ in the nature of Mandamus, declaring the action of the 1st respondent herein in issuing impugned proceedings L.Dis.No.479/2002 S.4, dated 3-12-2002, bifurcating the existing Sancham Fair Price Shop into 2 depots as Sancham-1 and Sancham-2 as illegal, arbitrary, and unconstitutional and further direct respondents herein to consider our representation dated 3-7-2002 and allot Fair Price Shop to our village, Punnanapalem and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.K.V.SUBRAMANYA NARASU

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following:

-

ORAL ORDER

The petitioner is aggrieved by the bifurcation of the erstwhile fair price shop of Sancham village into two by the proceedings of the first respondent dated 03-12-2002. The card-holders of Punana palem village of Ranasthalam Mandal have been making representations for setting up of fair price shop in their village on the ground that Sancham village is at a distance of two kilometers and causing inconvenience to the representationists for getting their supplies of essential commodities from such distant place. The complaint in this writ petition is that without responding to the representations of the villagers-the card-holders of Punana palem village of whom the petitioner claims to be one, the first respondent has accorded bifurcation of the existing fair price shop, thereby subverting any possibility of Punana palem village having a fair price shop in the near future.

Bifurcation of the fair price shop in Sancham village does not in any manner have an effect on the claims of the petitioner and other card- holders of punana palem village for a fair price shop in their village. On the analysis, the specific relief sought in the writ petition is misconceived. The first respondent is, however, directed to consider the representations made by the card-holders of Punana palem village for establishment of a fair price shop in the said village, on the basis of any existing guidelines as to the establishment of a fair price shop in rural areas.

The writ petition is disposed of as above. No order as to costs.

27TH DECEMBER 2004

*TSNR

TO

1. The Joint Collector, Collectors Office., Srikakulam., Srikakulam District.
2 The Revenue Divisional Officer, Srikakulam., Srikakulam District.
3 The Mandal Revenue officer, Ranasthalam, Srikakulam District.
4. Two CCs to GP for Civil Supplies, High Court buildings, High Court of Andhra Praesh, Hyderabad.
5. Two CD copies.